



IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE

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#9
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TECH CENTER 1600/2900

IN RE APPLICATION OF: Elliot, et al.
CASE: DIA-011115
SERIAL NO.: 09/857,325
FILED ON: February 14, 2002
FOR: PREPARATION AND
XENOTRANSPLANTATION
OF PORCINE ISLETS

TRANSMITTAL OF
INFORMATION
DISCLOSURE
STATEMENT
AFTER TIME PERIOD
SPECIFIED IN
37 C.F.R. §1.97

ASSISTANT COMMISSIONER
FOR PATENTS
Washington DC 20231

ATTENTION OF:
AU 3318
EXAMINER:
Qian J. Li

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

Applicant submits that the filing of the accompanying information disclosure statement after the period specified in paragraph (b) of 37 C.F.R. 1.97.

Applicant states, as required under 37 C.F.R. 1.97 (c), that the information contained in the information disclosure statement enclosed herewith was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of this information disclosure statement.

Accordingly, Applicant respectfully requests the filing of the accompanying information disclosure statement without fees outlined as 37 C.F.R. 1.17 (p).

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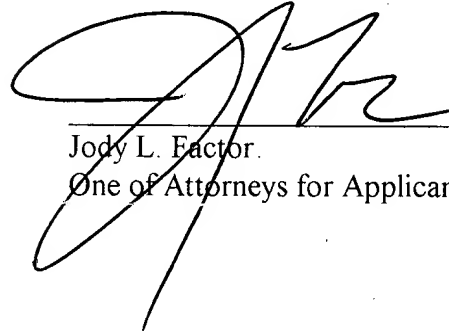
Jody L. Factor
Jacob D. Koering

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Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully invited.

Respectfully submitted,

Dated: 4/17/03



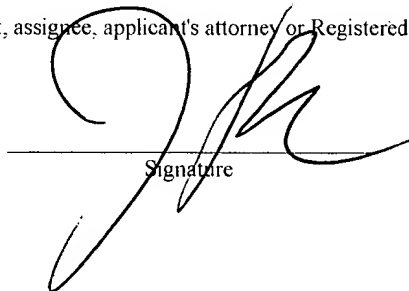
Jody L. Factor.
One of Attorneys for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 4/17/03.

Jody L. Factor

Name of Applicant, assignee, applicant's attorney or Registered Representative



Signature